

Minutes of the
Bountiful City Council Meeting
City Council Chambers
January 8, 2008 - 7:00 p.m.

Present: Mayor: Joe L. Johnson
Council Members: Beth Holbrook, John Marc Knight, R. Fred Moss, Scott Myers and Tom Tolman
City Attorney: Russell Mahan
City Engineer: Paul Rowland
City Recorder: Kim J. Coleman
Planning Director: Aric Jensen
Department Repre: Allen Johnson, Power Tom Ross, Police
Recording Secretary: Nancy T. Lawrence
Visitors: State Representative: Sheryl Allen
Historical Commission Member: Dean Collinwood
Excused: City Manager: Tom Hardy

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.

Mayor Johnson called the meeting to order at 7:00 p.m. and welcomed those in attendance. Sterling Lemmon, visiting Boy Scout, led the pledge of allegiance to the flag and Councilman Myers offered the prayer/thought. The Mayor recognized Representative Allen who expressed support of the Bountiful Historical Preservation Foundation and encouraged the City to look to the State for funding support. Rep. Allen commented that Tom Hardy is recognized as an able leader with wisdom and experience. The Bountiful legislators will hold a Town Meeting on January 17th at 7:00 p.m. and Rep. Allen invited all interested citizens to attend.

APPROVAL OF MINUTES

Minutes of the regular City Council meeting held December 11, 2007 were presented and unanimously approved as corrected on a motion made by Councilman Myers and seconded by Councilman Tolman. Councilpersons Holbrook, Knight, Myers, Moss and Tolman voted "aye".

EXPENDITURES AND EXPENSES APPROVED

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the following periods, with respective totals: November 29 - December 5, 2007 (\$346,565.31), December 6-12, 2007 totaling \$516,391.57, December 13-19, 2007 (\$212,250.87), and December 20-26, 2007 (\$1,770,819.27). The staff responded to questions, following which the reports were unanimously approved on a motion made by Councilman Moss and seconded by Councilman Myers. Councilpersons Holbrook, Knight, Myers, Moss and Tolman voted "aye".

COUNCIL APPROVES COMMITTEE ASSIGNMENTS

____ Mayor Johnson recommended that Beth Holbrook be appointed to serve as the Council representative on the Planning Commission. He also referred to the Committee assignments which

1 he has recommended and noted that the primary function of Council Committees is for budgeting
2 purposes. He noted that he has asked Councilman Knight to work with the Youth Council and
3 Councilwoman Holbrook to serve on the Community Service Council.
4

5 **BARBARA HOLT APPOINTED TO PLANNING COMMISSION**

6 Mayor Johnson said that former councilwoman Barbara Holt has expressed a willingness
7 and desire to continue to serve on the Planning Commission and he recommended that she be
8 appointed to serve as a citizen representative for the remainder of Councilwoman Holbrook's term.
9 Councilman Tolman made a motion to appoint Barbara Holt to the Planning Commission,
10 Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons
11 Holbrook, Knight, Moss, Myers and Tolman voted "aye".
12

13 **PROGRESS REPORT FROM BOUNTIFUL HISTORICAL**
14 **PRESERVATION FOUNDATION**

15 Dean Collinwood, representing the Bountiful Historical Preservation Foundation, expressed
16 appreciation for the opportunity of serving in this capacity and requested that the Mayor and
17 Council appoint two council members to the Historical Commission. He reviewed that the
18 Commission had made a commitment to give the Council a 6-month interim report on fund-raising
19 efforts which are being made in anticipation of constructing a building for the Historical
20 Commission. He stated that the Commission has nearly \$80,000 Cash on Hand and \$22,000 in
21 firm pledges (signed by citizens) which has been raised in 6 months. In addition, there have been
22 in-kind donations including a fee reduction from the architect, and landscaping and sprinkler
23 installation donations which will result in 100 percent of the cost of landscaping. Phase I of the
24 fund-raising effort is complete and Phase II (with focus on business owners) is starting. The
25 Commission has a fund raising committee composed of prominent Bountiful residents and it is
26 very optimistic that the Commission can reach its goal necessary to obtain a City match.
27

28 **ANNUAL MEETING SCHEDULE APPROVED FOR 2008**

29 Mr. Mahan reviewed that the regular meetings of the Council have been on the second and
30 fourth Tuesday of each month, with other meetings as needed and Noticed. He reviewed a Public
31 Notice and noted that the Council will not meet on Veteran's Day (November 11, 2008).
32 Councilman Moss made a motion to approve the proposed meeting schedule as presented.
33 Councilman Myers seconded the motion and voting was unanimous. Councilpersons Holbrook,
34 Knight, Moss, Myers and Tolman voted "aye".
35

36 **APPOINTMENT TO POWER COMMISSION APPROVED**

37 Mayor Johnson presented the names of Richard Foster and David Irvine to be re-appointed
38 to serve on the Bountiful Power Commission. He noted that both men have been serving very
39 capably (Mr. Foster since July 1, 1995 and Mr. Irvine since January, 1998) and recommended that
40 they each be appointed to serve another four-year term. Mr. Johnson commented on the
41 knowledge and expertise that they bring to the Commission. Councilman Moss made a motion to
42 approve the Power Commission appointments as recommended. Councilman Tolman seconded
43 the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and
44 Tolman voted "aye".
45

46 **ORD. NO. 2008-01 ADOPTED RE: PROCUREMENT**

CODE AMENDMENTS (AUDITOR RECOMMENDATION)

Mr. Mahan reviewed that Gary Keddington, independent auditor, noted an inconsistency in the existing ordinance and departmental practice as it relates to expenditures of less than \$10,000. The ordinance stipulated approval by the department head; however, it is not practical for the department heads personally to approve every single expenditure. This ordinance amends the existing requirement by permitting the City Manager or department heads to designate others to make those approvals. He recommended that Ordinance No. 2008-01, entitled AN ORDINANCE AMENDING THE BOUNTIFUL CITY CODE TO ALLOW THE CITY MANAGER AND ADMINISTRATION DEPARTMENT HEADS TO DESIGNATE EMPLOYEES TO APPROVE EXPENDITURES UNDER \$10,000, AND TO CLARIFY COUNCIL APPROVAL OF ROUTINE EXPENDITURES EXCEEDING \$10,000, be adopted. Councilman Myers motioned to adopt Ordinance No. 2008-01 and authorize the Mayor to sign it. Councilman Moss seconded the motion which carried unanimously. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

ANIMAL CONTROL SERVICES CONTRACT WITH DAVIS COUNTY APPROVED

Mr. Jensen reviewed that Davis County has provided Animal Control services for the City in past years and he presented a proposal from the County to continue in providing this service. The proposal, a five-year contract, includes a three percent increase for overhead, and implementation of a \$20 user fee per incident to dispose of raccoons and similar animals trapped by Bountiful residents. This fee would be assessed based on actual occurrences of the prior year and would be \$3,367 for this year. It is the recommendation of staff to approve the proposed amendment to Davis County Contract No. 2007-0031, also referred to as *Amendment No. 1 to Interlocal Cooperation Agreement Between Davis County and the City of Bountiful for Animal Control Services, Version: 12-06-07*, with a total value of \$52,655.68. Following a short discussion, Councilman Knight made a motion to approve the renewal of the Animal Control contract as presented and recommended. Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

FINDINGS CONCERNING EL MATADOR BEER LICENSE VARIANCE APPLICATION ADOPTED

Mr. Mahan reviewed that last month the Council held a public hearing to consider a beer license variance application submitted by the El Matador restaurant. Pursuant to that hearing, Findings have been prepared and it is the recommendation of staff that the Council adopt said Findings. Councilman Moss made a motion to adopt the Findings pertaining to this matter. Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

COUNCIL COMMITTEE REPORTS

Councilman Tolman asked for clarification on his assignment to the Community Council and the Mayor recommended that both Councilman Tolman and Councilwoman Holbrook serve on this Council.

Mayor Johnson referred to the upcoming ULCT activities and encouraged the Council to participate in these events.

